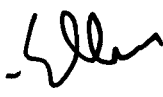


By:

Zaffarini 

S.B. No. 827

A BILL TO BE ENTITLED

AN ACT

relating to a system for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 405, Government Code, is amended by adding Section 405.021 to read as follows:

Sec. 405.021. REPORT ON STATE-FUNDED PROJECTS SERVING COLONIAS. (a) In this section, "colonia" means a geographic area that:

(1) is an economically distressed area as defined by Section 17.921, Water Code; and

(2) is located in a county any part of which is within 150 miles of an international border.

(b) Based on information provided under Subsection (c), the secretary of state shall establish and maintain a classification system that allows the secretary of state to track the progress of state-funded projects that provide water or wastewater services or paved roads to colonias.

(c) The secretary of state shall compile information received from the Office of Rural Community Affairs, the Texas Water Development Board, and the Texas Transportation Commission for purposes of the classification system.

(d) The secretary of state shall:

1 (1) prepare a report on the progress of state-funded
2 projects in providing water or wastewater services or paved roads
3 to colonias; and

4 (2) submit the report to the presiding officer of each
5 house of the legislature not later than December 1 of each
6 even-numbered year.

7 (e) The report to the legislature must include a list of
8 colonias with the highest health risk to colonia residents, based
9 on factors identified by the secretary of state.

10 (f) The secretary of state may contract with a third party
11 to develop the classification system or compile the relevant
12 information required by this section.

13 SECTION 2. Subchapter C, Chapter 487, Government Code, is
14 amended by adding Section 487.060 to read as follows:

15 Sec. 487.060. REPORT TO SECRETARY OF STATE. (a) In this
16 section, "colonia" means a geographic area that:

17 (1) is an economically distressed area as defined by
18 Section 17.921, Water Code; and

19 (2) is located in a county any part of which is within
20 150 miles of an international border.

21 (b) To assist the secretary of state in preparing the report
22 required under Section 405.021, the office on a quarterly basis
23 shall provide a report to the secretary of state detailing any
24 projects funded by the office that serve colonias by providing
25 water or wastewater services or paved roads.

26 (c) The report must include:

27 (1) a description of any relevant projects;

1 (2) the location of each project;
2 (3) the number of colonia residents served by each
3 project;
4 (4) the cost or anticipated cost of each project;
5 (5) a statement of whether each project is completed
6 and, if not, the expected completion date of the project; and
7 (6) any other information, as determined appropriate
8 by the secretary of state.

9 SECTION 3. Subchapter D, Chapter 6, Water Code, is amended
10 by adding Section 6.112 to read as follows:

11 Sec. 6.112. REPORT TO SECRETARY OF STATE. (a) In this
12 section, "colonia" means a geographic area that:

13 (1) is an economically distressed area as defined by
14 Section 17.921; and

15 (2) is located in a county any part of which is within
16 150 miles of an international border.

17 (b) To assist the secretary of state in preparing the report
18 required under Section 405.021, Government Code, the board on a
19 quarterly basis shall provide a report to the secretary of state
20 detailing any projects funded by the board that serve colonias by
21 providing water or wastewater services.

22 (c) The report must include:

23 (1) a description of any relevant projects;
24 (2) the location of each project;
25 (3) the number of colonia residents served by each
26 project;
27 (4) the cost or anticipated cost of each project;

1 (5) a statement of whether each project is completed
2 and, if not, the expected completion date of the project; and
3 (6) any other information, as determined appropriate
4 by the secretary of state.

5 SECTION 4. Subchapter C, Chapter 201, Transportation Code,
6 is amended by adding Section 201.116 to read as follows:

7 Sec. 201.116. REPORT TO SECRETARY OF STATE. (a) In this
8 section, "colonia" means a geographic area that:

9 (1) is an economically distressed area as defined by
10 Section 17.921, Water Code; and

11 (2) is located in a county any part of which is within
12 150 miles of an international border.

13 (b) To assist the secretary of state in preparing the report
14 required under Section 405.021, Government Code, the commission on
15 a quarterly basis shall provide a report to the secretary of state
16 detailing any projects funded by the commission that serve colonias
17 by providing paved roads.

18 (c) The report must include:

19 (1) a description of any relevant projects;
20 (2) the location of each project;
21 (3) the number of colonia residents served by each
22 project;

23 (4) the cost or anticipated cost of each project;
24 (5) a statement of whether each project is completed
25 and, if not, the expected completion date of the project; and

26 (6) any other information, as determined appropriate
27 by the secretary of state.

1 SECTION 5. This Act takes effect September 1, 2005.

BILL ANALYSIS

Senate Research Center
79R4537 QS-D

S.B. 827
By: Zaffirini
International Relations & Trade
3/28/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Legislators need a comprehensive road map detailing how state funds are spent on colonias projects. Currently, state agencies collect pertinent information concerning their own agency but there does not exist a complete classification system.

As proposed, S.B. 827 requires the preparation and submission of a report card to the legislature showing, via a comprehensive classification system, the state's progress in bringing water/wastewater and paved roads to colonias.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 405, Government Code, by adding Section 405.021, as follows:

Sec. 405.021. REPORT ON STATE-FUNDED PROJECTS SERVING COLONIAS.

(a) Defines "colonia."

(b) Requires the secretary of state, based on information provided by Subsection (c), to establish and maintain a classification system that allows the secretary of state to track the progress of state-funded projects that provide water or wastewater services or paved roads to colonias.

(c) Requires the secretary of state to compile information received from the Office of Rural Community Affairs (office), the Texas Water Development Board (board), and the Texas Transportation Commission (commission) for the purposes of the classification system.

(d) Requires the secretary of state to prepare a report on the progress of state-funded projects in providing water and wastewater services or paved roads to colonias and to submit the report to the presiding officer of each house of the legislature not later than December 1 of each even-numbered year.

(e) Requires the report to the legislature to include certain information.

(f) Authorizes the secretary of state to contract with a third party to develop the classification system or compile the relevant information required by this section.

SECTION 2. Amends Subchapter C, Chapter 487, Government Code, by adding Section 487.060, as follows:

Sec. 487.060. REPORT TO SECRETARY OF STATE. Defines "colonia." Requires the office, to assist the secretary of state in preparing the report required under Section 405.021, to, on a quarterly basis, provide a report to the secretary of state detailing any projects funded by the office that serve colonias by providing water or wastewater services or paved roads. Requires the report to include certain information.

SECTION 3. Amends Subchapter D, Chapter 6, Water Code, by adding Section 6.112, as follows:

Sec. 6.112. REPORT TO SECRETARY OF STATE. Defines "colonia." Requires the board, to assist the secretary of state in preparing the report required under Section 405.021, on a quarterly basis, to provide a report to the secretary of state detailing any projects funded by the board that serve colonias by providing water or wastewater services or paved roads. Requires the report to include certain information

SECTION 4. Amends Subchapter C, Chapter 201, Transportation Code, by adding Section 201.116, as follows:

Sec. 201.116. REPORT TO SECRETARY OF STATE. Defines "colonia." Requires the commission, to assist the secretary of state in preparing the report required under Section 405.021, on a quarterly basis, to provide a report to the secretary of state detailing any projects funded by the commission that serve colonias by providing water or wastewater services or paved roads. Requires the report to include certain information.

SECTION 5. Effective date: September 1, 2005.

By: Zaffirini S.B. No. 827
(In the Senate - Filed March 1, 2005; March 10, 2005, read first time and referred to Committee on International Relations and Trade; April 12, 2005, reported adversely, with favorable Committee Substitute by the following vote: Yeas 7, Nays 0; April 12, 2005, sent to printer.)

COMMITTEE SUBSTITUTE FOR S.B. No. 827

By: Zaffirini

A BILL TO BE ENTITLED
AN ACT

relating to systems for identifying colonias and for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 405, Government Code, is amended by adding Section 405.021 to read as follows:

Sec. 405.021. REPORT ON STATE-FUNDED PROJECTS SERVING COLONIAS. (a) In this section, "colonia" means a geographic area that:

(1) is an economically distressed area as defined by Section 17.921, Water Code; and

(2) is located in a county any part of which is within 62 miles of an international border.

(b) Based on information provided under Subsections (c) and (d), the secretary of state shall establish and maintain a classification system that allows the secretary of state to track the progress of state-funded projects in providing water or wastewater services, paved roads, and other assistance to colonias.

(c) The secretary of state shall compile information received from the Office of Rural Community Affairs, the Texas Water Development Board, the Texas Transportation Commission, the Texas Department of Housing and Community Affairs, the Department of State Health Services, and any other agency considered appropriate by the secretary of state for purposes of the classification system.

(d) The secretary of state shall compile information on colonias that is received from the colonia ombudsmen under Section 775.004.

(e) The secretary of state shall:

(1) prepare a report on the progress of state-funded projects in providing water or wastewater services, paved roads, and other assistance to colonias; and

(2) submit the report to the presiding officer of each house of the legislature not later than December 1 of each even-numbered year.

(f) The report to the legislature must include a list of colonias with the highest health risk to colonia residents, based on factors identified by the secretary of state.

(g) In conjunction with the establishment of the classification system required by this section, the secretary of state shall establish and maintain a statewide system for identifying colonias.

(h) The secretary of state may contract with a third party to develop the classification system or the identification system or to compile or maintain the relevant information required by this section.

SECTION 2. Subchapter C, Chapter 487, Government Code, is amended by adding Section 487.060 to read as follows:

Sec. 487.060. REPORT TO SECRETARY OF STATE. (a) In this section, "colonia" means a geographic area that:

(1) is an economically distressed area as defined by Section 17.921, Water Code; and

(2) is located in a county any part of which is within 50 miles of an international border.

(b) To assist the secretary of state in preparing the report required under Section 405.021, the office on a quarterly basis shall provide a report to the secretary of state detailing any projects funded by the office that serve colonias by providing water or wastewater services, paved roads, or other assistance.

(c) The report must include:

(1) a description of any relevant projects;
 (2) the location of each project;
 (3) the number of colonia residents served by each project;
 (4) the cost or anticipated cost of each project;
 (5) a statement of whether each project is completed and, if not, the expected completion date of the project; and
 (6) any other information, as determined appropriate by the secretary of state.

SECTION 3. Chapter 775, Government Code, is amended by amending Section 775.003 and adding Section 775.004 to read as follows:

Sec. 775.003. COLONIA OMBUDSMAN PROGRAM. The colonia initiatives coordinator shall ~~may~~ appoint a colonia ombudsman in each of the six border counties that the coordinator determines have the largest colonia populations.

Sec. 775.004. INFORMATION ON COLONIAS. (a) The colonia ombudsmen shall gather information about the colonias in the counties for which the ombudsmen were appointed and provide the information to the secretary of state, to assist the secretary of state in preparing the report required under Section 405.021.

(b) To the extent possible, the ombudsmen shall gather information regarding:

(1) the platting of each colonia;
 (2) the infrastructure of each colonia;
 (3) the availability of health care services;
 (4) the availability of financial assistance; and
 (5) any other appropriate topic as requested by the secretary of state.

(c) The ombudsmen shall provide the information to the secretary of state not later than September 1 of each even-numbered year.

SECTION 4. Subchapter D, Chapter 2306, Government Code, is amended by adding Section 2306.083 to read as follows:

Sec. 2306.083. REPORT TO SECRETARY OF STATE. (a) In this section, "colonia" means a geographic area that:

(1) is an economically distressed area as defined by Section 17.921, Water Code; and
 (2) is located in a county any part of which is within 50 miles of an international border.

(b) To assist the secretary of state in preparing the report required under Section 405.021, the board on a quarterly basis shall provide a report to the secretary of state detailing any projects funded by the department that provide assistance to colonias.

(c) The report must include:

(1) a description of any relevant projects;
 (2) the location of each project;
 (3) the number of colonia residents served by each project;
 (4) the cost or anticipated cost of each project;
 (5) a statement of whether each project is completed and, if not, the expected completion date of the project; and
 (6) any other information, as determined appropriate by the secretary of state.

SECTION 5. Subchapter B, Chapter 1001, Health and Safety Code, is amended by adding Section 1001.033 to read as follows:

Sec. 1001.033. REPORT TO SECRETARY OF STATE. (a) In this section, "colonia" means a geographic area that:

(1) is an economically distressed area as defined by Section 17.921, Water Code; and
 (2) is located in a county any part of which is within 50 miles of an international border.

(b) To assist the secretary of state in preparing the report required under Section 405.021, Government Code, the commissioner on a quarterly basis shall provide a report to the secretary of state detailing any projects funded by the department that provide assistance to colonias.

(c) The report must include:

(1) a description of any relevant projects;
 (2) the location of each project;
 (3) the number of colonia residents served by each project;
 (4) the cost or anticipated cost of each project;
 (5) a statement of whether each project is completed and, if not, the expected completion date of the project; and
 (6) any other information, as determined appropriate by the secretary of state.

SECTION 6. Subchapter C, Chapter 201, Transportation Code, is amended by adding Section 201.116 to read as follows:

Sec. 201.116. REPORT TO SECRETARY OF STATE. (a) In this section, "colonia" means a geographic area that:

(1) is an economically distressed area as defined by Section 17.921, Water Code; and
 (2) is located in a county any part of which is within 50 miles of an international border.

(b) To assist the secretary of state in preparing the report required under Section 405.021, Government Code, the commission on a quarterly basis shall provide a report to the secretary of state detailing any projects funded by the department that serve colonias by providing paved roads or other assistance.

(c) The report must include:

(1) a description of any relevant projects;
 (2) the location of each project;
 (3) the number of colonia residents served by each project;
 (4) the cost or anticipated cost of each project;
 (5) a statement of whether each project is completed and, if not, the expected completion date of the project; and
 (6) any other information, as determined appropriate by the secretary of state.

SECTION 7. Subchapter E, Chapter 6, Water Code, is amended by adding Section 6.1565 to read as follows:

Sec. 6.1565. REPORT TO SECRETARY OF STATE. (a) In this section, "colonia" means a geographic area that:

(1) is an economically distressed area as defined by Section 17.921; and
 (2) is located in a county any part of which is within 50 miles of an international border.

(b) To assist the secretary of state in preparing the report required under Section 405.021, Government Code, the board on a quarterly basis shall provide a report to the secretary of state detailing any projects funded by the board that serve colonias by providing water or waste water services or other assistance.

(c) The report must include:

(1) a description of any relevant projects;
 (2) the location of each project;
 (3) the number of colonia residents served by each project;
 (4) the cost or anticipated cost of each project;
 (5) a statement of whether each project is completed and, if not, the expected completion date of the project; and
 (6) any other information, as determined appropriate by the secretary of state.

SECTION 8. This Act takes effect September 1, 2005.

* * * * *

FAVORABLY AS SUBSTITUTED
SENATE COMMITTEE REPORT ON

(SB) SCR SJR SR HB HCR HJR 827
By Zaffirini
(Author/Senate Sponsor)
April, 14, 2005
(date)

We, your Committee on INTERNATIONAL RELATIONS AND TRADE, to which was referred the attached measure,
have on April 7, 2005, had the same under consideration and I am instructed to report it
(date of hearing)
back with the recommendation (s) that it:

- ☒ do pass as substituted, and be printed
☒ the caption remained the same as original measure
☐ the caption changed with adoption of the substitute

☐ do pass as substituted, and be ordered not printed

☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☒ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Eddie Lucio, Chair	✓			
Senator Eliot Shapleigh, Vice-Chair	✓			
Senator John Carona	✓			
Senator Kevin Eltife	✓			
Senator Craig Estes	✓			
Senator Kel Seliger	✓			
Senator Judith Zaffirini	✓			
TOTAL VOTES	7	0	0	0

COMMITTEE ACTION

☒ S260 Considered in public hearing

☒ S270 Testimony taken

Laura Gallegos
COMMITTEE CLERK

Eddie Lucio
CHAIR

Paper clip the original and one copy of this signed form to the original bill along with TWO copies of the Committee Substitute
Retain one copy of this form for Committee files

WITNESS LIST

SB 827

SENATE COMMITTEE REPORT

International Relations & Trade

April 6, 2005 - 1:30PM

FOR: Fuller, Jake South Texas Health System (Valley Chapter TX Academy of Family Physicians), McAllen, TX
Kindle, Keith Associate Vice President (Turner, Collie and Braden), Pharr, TX

Registering, but not testifying:

For: delaFuente, Veronica Admin. Asst. for Intergovernmental Affairs (Office of the Cameron County Judge Gilberto Hinojosa), Brownsville, TX
Springfield, James President & CEO (Valley Baptist Health System), Harlingen, TX

On: Beverly, Eric Governmental Relations (Office of Rural Community Affairs), Austin, TX
Cabello, Homero Director of Office of Colonia Initiatives (TX Dept. of Housing and Community Affairs), Austin, TX
Garcia, Buddy Asst. Secretary of State/Border Commerce Coordinator (Secretary of State), Austin, TX
Madera, Jr., Ignacio Deputy Executive Administrator (Texas Water Development Board), Austin, TX
Sanchez, Yvette (Secretary of State), Austin, TX
Weitzel, Lorelei Deputy Executive Administrator (Texas Water Development Board), Austin, TX

BILL ANALYSIS

Senate Research Center

C.S.S.B. 827
By: Zaffirini
International Relations & Trade
4/8/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Legislators need a comprehensive road map detailing how state funds are spent on colonias projects. Currently, state agencies collect pertinent information concerning their own agency but there does not exist a complete classification system.

C.S.S.B. 827 requires the preparation and submission of a report card to the legislature showing, via a comprehensive classification system, the state's progress in bringing water/wastewater and paved roads to colonias.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 405, Government Code, by adding Section 405.021, as follows:

Sec. 405.021. REPORT ON STATE-FUNDED PROJECTS SERVING COLONIAS.
(a) Defines "colonia."

(b) Requires the secretary of state, based on information provided by Subsections (c) and (d), to establish and maintain a classification system that allows the secretary of state to track the progress of state-funded projects that provide water or wastewater services, paved roads, and other assistance to colonias.

(c) Requires the secretary of state to compile information received from the Office of Rural Community Affairs (office), the Texas Water Development Board (board), the Texas Transportation Commission (TTC), the Texas Department of Housing and Community Affairs (DHCA), the Department of State Health Services (DSHS), and any other agency considered appropriate by the secretary of state for the purposes of the classification system.

(d) Requires the secretary of state to compile information on colonias that is received from the colonia ombudsman under Section 775.004.

(e) Requires the secretary of state to prepare a report on the progress of state-funded projects in providing water and wastewater services, paved roads, and other assistance to colonias and to submit the report to the presiding officer of each house of the legislature not later than December 1 of each even-numbered year.

(f) Requires the report to the legislature to include certain information.

(g) Requires the secretary of state, in conjunction with the establishment of the classification system required by this section, to establish and maintain a statewide system for identifying colonias.

(h) Authorizes the secretary of state to contract with a third party to develop the classification system or compile or maintain the relevant information required by this section.

SECTION 2. Amends Subchapter C, Chapter 487, Government Code, by adding Section 487.060, as follows:

Sec. 487.060. REPORT TO SECRETARY OF STATE. Defines "colonia." Requires the office, to assist the secretary of state in preparing the report required under Section 405.021, to, on a quarterly basis, provide a report to the secretary of state detailing any projects funded by the office that serve colonias by providing water or wastewater services, paved roads, or other assistance. Requires the report to include certain information.

SECTION 3. Amends Chapter 775, Government Code, by amending Section 775.003, and adding Section 775.004, as follows:

Sec. 775.003. COLONIA OMBUDSMAN PROGRAM. Requires, rather than authorizes, the colonia initiatives coordinator to appoint a colonia ombudsman in certain counties.

Sec. 775.004. INFORMATION ON COLONIAS. Requires the colonia ombudsmen to gather information about the colonias in the counties for which the ombudsmen were appointed and provide the information to the secretary of state, to assist the secretary of state in preparing the report required under Section 405.021. Sets forth specific information which the ombudsmen are required, to the extent possible, to gather and requires the ombudsmen to provide the information to the secretary of state not later than September 1 of each even-numbered year.

SECTION 4. Amends Subchapter D, Chapter 2306, Government Code, by adding Section 2306.083, as follows:

Sec. 2306.083. REPORT TO SECRETARY OF STATE. Defines "colonia." Requires the governing board of DHCA, to assist the secretary of state in preparing the report required under Section 405.021 and on a quarterly basis, to provide a report to the secretary of state detailing any projects funded by the department that provide assistance to colonias. Sets forth specific information which is required to be included in the report.

SECTION 5. Amends Subchapter B, Chapter 1001, Health and Safety Code, by adding Section 1001.033, as follows:

Sec. 1001.033. REPORT TO SECRETARY OF STATE. Defines "colonia." Requires the commissioner of state health services, to assist the secretary of state in preparing the report required under Section 405.021, on a quarterly basis, to provide a report to the secretary of state detailing any projects funded by the board that serve colonias by providing water or wastewater services or paved roads. Requires the report to include certain information.

SECTION 6. Amends Subchapter C, Chapter 201, Transportation Code, by adding Section 201.116, as follows:

Sec. 201.116. REPORT TO SECRETARY OF STATE. Defines "colonia." Requires TTC, to assist the secretary of state in preparing the report required under Section 405.021, on a quarterly basis, to provide a report to the secretary of state detailing any projects funded by the commission that serve colonias by providing paved roads or other services. Requires the report to include certain information.

SECTION 7. Amends Subchapter E, Chapter 6, Water Code, by adding Section 6.1565, as follows:

Sec. 6.1565. REPORT TO SECRETARY OF STATE. Defines "colonia." Requires the board, to assist the secretary of state in preparing the report required under Section 405.021, on a quarterly basis, to provide a report to the secretary of state detailing any projects funded by the board that serve colonias by providing water or wastewater services or other assistance. Requires the report to include certain information.

SECTION 8. Effective date: September 1, 2005.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 8, 2005

TO: Honorable Eddie Lucio, Jr., Chair, Senate Committee on International Relations & Trade

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: SB827 by Zaffirini (Relating to systems for identifying colonias and for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Government Code, Water Code, Health and Safety Code, and Transportation Code to require the Secretary of State to establish and maintain a classification system to track state-funded projects related to water/wastewater services, paved roads to colonias, and other assistance to colonias in conjunction with a statewide system for identifying colonias. It would require the colonias ombudsman, Office of Rural Community Affairs, the Texas Water Development Board, the Texas Department of Housing and Community Affairs, the Texas Department of State Health Services, and the Texas Transportation Commission to report information to the Secretary of State for the classification system and the Secretary of State to compile the reported information.

The bill would require the Secretary of State to report information tracked by the classification system to the presiding officer of each house of the legislature in even-numbered years. It would require the colonias ombudsmen to assist the Secretary of State in preparing the report.

The bill would allow the Secretary of State to contract with a third-party to develop the classification system or colonias identification system or to compile the required information, which the agency estimates to cost \$3,000 per fiscal year out of General Revenue funds.

It is anticipated that any costs related to implementing the provisions of the bill could be absorbed by existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State, 332 Department of Housing and Community Affairs, 537 Department of State Health Services, 357 Office of Rural Community Affairs, 580 Water Development Board, 601 Department of Transportation

LBB Staff: JOB, CL, TL, NR

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 5, 2005

TO: Honorable Eddie Lucio, Jr., Chair, Senate Committee on International Relations & Trade

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: SB827 by Zaffirini (Relating to a system for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Government Code, Water Code, and Transportation Code to require the Secretary of State to establish and maintain a classification system to track state-funded projects related to water/wastewater services or paved roads to colonias and to compile information reported to the Secretary of State by the Office of Rural Community Affairs, the Texas Water Development Board, and the Texas Transportation Commission for the classification system.

The bill would require the Secretary of State to report information tracked by the classification system to the presiding officer of each house of the legislature in even-numbered years.

The bill would allow the Secretary of State to contract with a third-party to develop the classification system or compile the required information, which the agency estimates to cost \$3,000 per fiscal year out of General Revenue funds.

It is anticipated that any costs related to implementing the provisions of the bill could be absorbed by existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.


Source Agencies: 307 Secretary of State, 357 Office of Rural Community Affairs, 580 Water Development Board, 601 Department of Transportation

LBB Staff: JOB, CL, TL, NR

REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that SB 827 / CSSB 827 by Sen. Zaffirini,
(Bill No.) (Author/Sponsor)
was heard by the Committee on IRT on April 7, 2005,
and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.


(Clerk of the reporting committee)

IMPORTANT: A COPY OF THIS FORM MUST BE ATTACHED TO A COMMITTEE PRINTED VERSION OF THE BILL OR RESOLUTION AND SHOULD BE DELIVERED TO THE ADMINISTRATION COMMITTEE OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS AND RESOLUTIONS WILL BE ANNOUNCED ON A REGULAR BASIS.

ADOPTED

31-0
APR 14 2005

Leroy Spaw
Secretary of the Senate

By: *Zuffin*, Ellis

S.B. No. 827

Substitute the following for S.B. No. 827:

By: *Zuffin*

C.S. S.B. No. 827

A BILL TO BE ENTITLED

AN ACT

relating to systems for identifying colonias and for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 405, Government Code, is amended by adding Section 405.021 to read as follows:

Sec. 405.021. REPORT ON STATE-FUNDED PROJECTS SERVING COLONIAS. (a) In this section, "colonia" means a geographic area that:

(1) is an economically distressed area as defined by Section 17.921, Water Code; and

(2) is located in a county any part of which is within 62 miles of an international border.

(b) Based on information provided under Subsections (c) and (d), the secretary of state shall establish and maintain a classification system that allows the secretary of state to track the progress of state-funded projects in providing water or wastewater services, paved roads, and other assistance to colonias.

(c) The secretary of state shall compile information received from the Office of Rural Community Affairs, the Texas Water

1 Development Board, the Texas Transportation Commission, the Texas
2 Department of Housing and Community Affairs, the Department of
3 State Health Services, and any other agency considered¹/₂appropriate
4 by the secretary of state for purposes of the classification
5 system.

6 (d) The secretary of state shall compile information on
7 colonias that is received from the colonia ombudsmen under Section
8 775.004.

9 (e) The secretary of state shall:

10 (1) prepare a report on the progress of state-funded
11 projects in providing water or wastewater services, paved roads,
12 and other assistance to colonias; and

13 (2) submit the report to the presiding officer of each
14 house of the legislature not later than December 1 of each even-
15 numbered year.

16 (f) The report to the legislature must include a list of
17 colonias with the highest health risk to colonia residents, based
18 on factors identified by the secretary of state.

19 (g) In conjunction with the establishment of the
20 classification system required by this section, the secretary of
21 state shall establish and maintain a statewide system for
22 identifying colonias.

23 (h) The secretary of state may contract with a third party to
24 develop the classification system or the identification system or
25 to compile or maintain the relevant information required by this

1 section.

2 SECTION 2. Subchapter C, Chapter 487, Government Code, is
3 amended by adding Section 487.060 to read as follows:

4 Sec. 487.060. REPORT TO SECRETARY OF STATE. (a) In this
5 section, "colonia" means a geographic area that: ^{2/}₃

6 (1) is an economically distressed area as defined by
7 Section 17.921, Water Code; and

8 (2) is located in a county any part of which is within
9 50 miles of an international border.

10 (b) To assist the secretary of state in preparing the report
11 required under Section 405.021, the office on a quarterly basis
12 shall provide a report to the secretary of state detailing any
13 projects funded by the office that serve colonias by providing
14 water or wastewater services, paved roads, or other assistance.

15 (c) The report must include:

16 (1) a description of any relevant projects;

17 (2) the location of each project;

18 (3) the number of colonia residents served by each
19 project;

20 (4) the cost or anticipated cost of each project;

21 (5) a statement of whether each project is completed
22 and, if not, the expected completion date of the project; and

23 (6) any other information, as determined appropriate by
24 the secretary of state.

25 SECTION 3. Chapter 775, Government Code, is amended by

1 amending Section 775.003 and adding Section 775.004 to read as
2 follows:

3 Sec. 775.003. COLONIA OMBUDSMAN PROGRAM. The colonia
4 initiatives coordinator shall ~~may~~ appoint a colonia ombudsman in
5 each of the six border counties that the coordinator determines
6 have the largest colonia populations.

7 ← Sec. 775.004. INFORMATION ON COLONIAS. (a) The colonia³
8 ombudsmen shall gather information about the colonias in the
9 counties for which the ombudsmen were appointed and provide the
10 information to the secretary of state, to assist the secretary of
11 state in preparing the report required under Section 405.021⁴

12 (b) To the extent possible, the ombudsmen shall gather
13 information regarding:

- 14 (1) the platting of each colonia;
15 (2) the infrastructure of each colonia;
16 (3) the availability of health care services;
17 (4) the availability of financial assistance; and
18 (5) any other appropriate topic as requested by the
19 secretary of state.

20 (c) The ombudsmen shall provide the information to the
21 secretary of state not later than September 1 of each even-numbered
22 year.

23 SECTION 4. Subchapter D, Chapter 2306, Government Code, is
24 amended by adding Section 2306.083 to read as follows:

25 Sec. 2306.083. REPORT TO SECRETARY OF STATE. (a) In this

1 section, "colonia" means a geographic area that:

2 (1) is an economically distressed area as defined by
3 Section 17.921, Water Code; and

4 (2) is located in a county any part of which is within
5 50 miles of an international border.

6 (b) To assist the secretary of state in preparing the report
7 required under Section 405.021, the board on a quarterly basis
8 shall provide a report to the secretary of state detailing any
9 projects funded by the department that provide assistance to
10 colonias. 4/5

11 (c) The report must include:

12 (1) a description of any relevant projects;

13 (2) the location of each project;

14 (3) the number of colonia residents served by each
15 project;

16 (4) the cost or anticipated cost of each project;

17 (5) a statement of whether each project is completed
18 and, if not, the expected completion date of the project; and

19 (6) any other information, as determined appropriate by
20 the secretary of state.

21 SECTION 5. Subchapter B, Chapter 1001, Health and Safety
22 Code, is amended by adding Section 1001.033 to read as follows:

23 Sec. 1001.033. REPORT TO SECRETARY OF STATE. (a) In this
24 section, "colonia" means a geographic area that:

25 (1) is an economically distressed area as defined by

1 Section 17.921, Water Code; and

2 (2) is located in a county any part of which is within
3 50 miles of an international border.

4 (b) To assist the secretary of state in preparing the report
5 required under Section 405.021, Government Code, the commissioner
6 on a quarterly basis shall provide a report to the secretary of
7 state detailing any projects funded by the department that provide
8 assistance to colonias.

9 (c) The report must include:

- 10 (1) a description of any relevant projects;
11 (2) the location of each project; ⁵/₆
12 (3) the number of colonia residents served by each
13 project;
14 (4) the cost or anticipated cost of each project;
15 (5) a statement of whether each project is completed
16 and, if not, the expected completion date of the project; and
17 (6) any other information, as determined appropriate by
18 the secretary of state.

19 SECTION 6. Subchapter C, Chapter 201, Transportation Code, is
20 amended by adding Section 201.116 to read as follows:

21 Sec. 201.116. REPORT TO SECRETARY OF STATE. (a) In this
22 section, "colonia" means a geographic area that:

23 (1) is an economically distressed area as defined by
24 Section 17.921, Water Code; and

25 (2) is located in a county any part of which is within

1 50 miles of an international border.

2 (b) To assist the secretary of state in preparing the report
3 required under Section 405.021, Government Code, the commission on
4 a quarterly basis shall provide a report to the secretary of state
5 detailing any projects funded by the department that serve colonias
6 by providing paved roads or other assistance.

7 (c) The report must include:

- 8 (1) a description of any relevant projects;
9 (2) the location of each project;
10 (3) the number of colonia residents served by each
11 project;
12 (4) the cost or anticipated cost of each project;
13 (5) a statement of whether each project is completed
14 and, if not, the expected completion date of the project; and
15 (6) any other information, as determined appropriate by
16 the secretary of state.

17 SECTION 7. Subchapter E, Chapter 6, Water Code, is amended by
18 adding Section 6.1565 to read as follows:

19 Sec. 6.1565. REPORT TO SECRETARY OF STATE. (a) In this
20 section, "colonia" means a geographic area that:

- 21 (1) is an economically distressed area as defined by
22 Section 17.921; and
23 (2) is located in a county any part of which is within
24 50 miles of an international border.

25 (b) To assist the secretary of state in preparing the report

1 required under Section 405.021, Government Code, the board on a
2 quarterly basis shall provide a report to the secretary of state
3 detailing any projects funded by the board that serve colonias by
4 providing water or wastewater services or other assistance.

5 (c) The report must include:

- 6 (1) a description of any relevant projects;
7 (2) the location of each project;
8 (3) the number of colonia residents served by each
9 project;
10 (4) the cost or anticipated cost of each project;
11 (5) a statement of whether each project is completed
12 and, if not, the expected completion date of the project; and
13 (6) any other information, as determined appropriate by
14 the secretary of state.

15 SECTION 8. This Act takes effect September 1, 2005.

Engrossed April 14, 2005
Mandi Alexander
Engrossing Clerk

I certify this to be a true and correct
copy of the indicated document as
referred or transmitted to committee.

Chief Clerk of the House

By: Zaffirini, Ellis

S.B. No. 827

A BILL TO BE ENTITLED

AN ACT

relating to systems for identifying colonias and for tracking the
progress of state-funded projects that benefit colonias and the
submission of a related report to the legislature.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 405, Government Code, is
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COLONIAS. (a) In this section, "colonia" means a geographic area
that:

(1) is an economically distressed area as defined by
Section 17.921, Water Code; and

(2) is located in a county any part of which is within
62 miles of an international border.

(b) Based on information provided under Subsections (c) and
(d), the secretary of state shall establish and maintain a
classification system that allows the secretary of state to track
the progress of state-funded projects in providing water or
wastewater services, paved roads, and other assistance to colonias.

(c) The secretary of state shall compile information
received from the Office of Rural Community Affairs, the Texas
Water Development Board, the Texas Transportation Commission, the
Texas Department of Housing and Community Affairs, the Department
of State Health Services, and any other agency considered

appropriate by the secretary of state for purposes of the classification system.

(d) The secretary of state shall compile information on colonias that is received from the colonia ombudsmen under Section 775.004.

(e) The secretary of state shall:

(1) prepare a report on the progress of state-funded projects in providing water or wastewater services, paved roads, and other assistance to colonias; and

(2) submit the report to the presiding officer of each house of the legislature not later than December 1 of each even-numbered year.

(f) The report to the legislature must include a list of colonias with the highest health risk to colonia residents, based on factors identified by the secretary of state.

(g) In conjunction with the establishment of the classification system required by this section, the secretary of state shall establish and maintain a statewide system for identifying colonias.

(h) The secretary of state may contract with a third party to develop the classification system or the identification system or to compile or maintain the relevant information required by this section.

SECTION 2. Subchapter C, Chapter 487, Government Code, is amended by adding Section 487.060 to read as follows:

Sec. 487.060. REPORT TO SECRETARY OF STATE. (a) In this section, "colonia" means a geographic area that:

S.B. No. 827

(1) is an economically distressed area as defined by Section 17.921, Water Code; and

(2) is located in a county any part of which is within 50 miles of an international border.

(b) To assist the secretary of state in preparing the report required under Section 405.021, the office on a quarterly basis shall provide a report to the secretary of state detailing any projects funded by the office that serve colonias by providing water or wastewater services, paved roads, or other assistance.

(c) The report must include:

(1) a description of any relevant projects;

(2) the location of each project;

(3) the number of colonia residents served by each project;

(4) the cost or anticipated cost of each project;

(5) a statement of whether each project is completed and, if not, the expected completion date of the project; and

(6) any other information, as determined appropriate by the secretary of state.

SECTION 3. Chapter 775, Government Code, is amended by amending Section 775.003 and adding Section 775.004 to read as follows:

Sec. 775.003. COLONIA OMBUDSMAN PROGRAM. The colonia initiatives coordinator shall ~~may~~ appoint a colonia ombudsman in each of the six border counties that the coordinator determines have the largest colonia populations.

Sec. 775.004. INFORMATION ON COLONIAS. (a) The colonia

1 ombudsmen shall gather information about the colonias in the
2 counties for which the ombudsmen were appointed and provide the
3 information to the secretary of state, to assist the secretary of
4 state in preparing the report required under Section 405.021.

5 (b) To the extent possible, the ombudsmen shall gather
6 information regarding:

- 7 (1) the platting of each colonia;
8 (2) the infrastructure of each colonia;
9 (3) the availability of health care services;
10 (4) the availability of financial assistance; and
11 (5) any other appropriate topic as requested by the
12 secretary of state.

13 (c) The ombudsmen shall provide the information to the
14 secretary of state not later than September 1 of each even-numbered
15 year.

16 SECTION 4. Subchapter D, Chapter 2306, Government Code, is
17 amended by adding Section 2306.083 to read as follows:

18 Sec. 2306.083. REPORT TO SECRETARY OF STATE. (a) In this
19 section, "colonia" means a geographic area that:

- 20 (1) is an economically distressed area as defined by
21 Section 17.921, Water Code; and
22 (2) is located in a county any part of which is within
23 50 miles of an international border.

24 (b) To assist the secretary of state in preparing the report
25 required under Section 405.021, the board on a quarterly basis
26 shall provide a report to the secretary of state detailing any
27 projects funded by the department that provide assistance to

1 colonias.

2 (c) The report must include:

3 (1) a description of any relevant projects;

4 (2) the location of each project;

5 (3) the number of colonia residents served by each
6 project;

7 (4) the cost or anticipated cost of each project;

8 (5) a statement of whether each project is completed
9 and, if not, the expected completion date of the project; and

10 (6) any other information, as determined appropriate
11 by the secretary of state.

12 SECTION 5. Subchapter B, Chapter 1001, Health and Safety
13 Code, is amended by adding Section 1001.033 to read as follows:

14 Sec. 1001.033. REPORT TO SECRETARY OF STATE. (a) In this
15 section, "colonia" means a geographic area that:

16 (1) is an economically distressed area as defined by
17 Section 17.921, Water Code; and

18 (2) is located in a county any part of which is within
19 50 miles of an international border.

20 (b) To assist the secretary of state in preparing the report
21 required under Section 405.021, Government Code, the commissioner
22 on a quarterly basis shall provide a report to the secretary of
23 state detailing any projects funded by the department that provide
24 assistance to colonias.

25 (c) The report must include:

26 (1) a description of any relevant projects;

27 (2) the location of each project;

1 (3) the number of colonia residents served by each
2 project;

3 (4) the cost or anticipated cost of each project;

4 (5) a statement of whether each project is completed
5 and, if not, the expected completion date of the project; and

6 (6) any other information, as determined appropriate
7 by the secretary of state.

8 SECTION 6. Subchapter C, Chapter 201, Transportation Code,
9 is amended by adding Section 201.116 to read as follows:

10 Sec. 201.116. REPORT TO SECRETARY OF STATE. (a) In this
11 section, "colonia" means a geographic area that:

12 (1) is an economically distressed area as defined by
13 Section 17.921, Water Code; and

14 (2) is located in a county any part of which is within
15 50 miles of an international border.

16 (b) To assist the secretary of state in preparing the report
17 required under Section 405.021, Government Code, the commission on
18 a quarterly basis shall provide a report to the secretary of state
19 detailing any projects funded by the department that serve colonias
20 by providing paved roads or other assistance.

21 (c) The report must include:

22 (1) a description of any relevant projects;

23 (2) the location of each project;

24 (3) the number of colonia residents served by each
25 project;

26 (4) the cost or anticipated cost of each project;

27 (5) a statement of whether each project is completed

1 and, if not, the expected completion date of the project; and
2 (6) any other information, as determined appropriate
3 by the secretary of state.

4 SECTION 7. Subchapter E, Chapter 6, Water Code, is amended
5 by adding Section 6.1565 to read as follows:

6 Sec. 6.1565. REPORT TO SECRETARY OF STATE. (a) In this
7 section, "colonia" means a geographic area that:

8 (1) is an economically distressed area as defined by
9 Section 17.921; and

10 (2) is located in a county any part of which is within
11 50 miles of an international border.

12 (b) To assist the secretary of state in preparing the report
13 required under Section 405.021, Government Code, the board on a
14 quarterly basis shall provide a report to the secretary of state
15 detailing any projects funded by the board that serve colonias by
16 providing water or waste water services or other assistance.

17 (c) The report must include:
18 (1) a description of any relevant projects;
19 (2) the location of each project;
20 (3) the number of colonia residents served by each
21 project;

22 (4) the cost or anticipated cost of each project;
23 (5) a statement of whether each project is completed
24 and, if not, the expected completion date of the project; and
25 (6) any other information, as determined appropriate
26 by the secretary of state.

27 SECTION 8. This Act takes effect September 1, 2005.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 8, 2005

TO: Honorable Eddie Lucio, Jr., Chair, Senate Committee on International Relations & Trade

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: **SB827** by Zaffirini (Relating to systems for identifying colonias and for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
--

The bill would amend Government Code, Water Code, Health and Safety Code, and Transportation Code to require the Secretary of State to establish and maintain a classification system to track state-funded projects related to water/wastewater services, paved roads to colonias, and other assistance to colonias in conjunction with a statewide system for identifying colonias. It would require the colonias ombudsman, Office of Rural Community Affairs, the Texas Water Development Board, the Texas Department of Housing and Community Affairs, the Texas Department of State Health Services, and the Texas Transportation Commission to report information to the Secretary of State for the classification system and the Secretary of State to compile the reported information.

The bill would require the Secretary of State to report information tracked by the classification system to the presiding officer of each house of the legislature in even-numbered years. It would require the colonias ombudsmen to assist the Secretary of State in preparing the report.

The bill would allow the Secretary of State to contract with a third-party to develop the classification system or colonias identification system or to compile the required information, which the agency estimates to cost \$3,000 per fiscal year out of General Revenue funds.

It is anticipated that any costs related to implementing the provisions of the bill could be absorbed by existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State, 332 Department of Housing and Community Affairs, 537 Department of State Health Services, 357 Office of Rural Community Affairs, 580 Water Development Board, 601 Department of Transportation

LBB Staff: JOB, CL, TL, NR

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 5, 2005

TO: Honorable Eddie Lucio, Jr., Chair, Senate Committee on International Relations & Trade

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: SB827 by Zaffirini (Relating to a system for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Government Code, Water Code, and Transportation Code to require the Secretary of State to establish and maintain a classification system to track state-funded projects related to water/wastewater services or paved roads to colonias and to compile information reported to the Secretary of State by the Office of Rural Community Affairs, the Texas Water Development Board, and the Texas Transportation Commission for the classification system.

The bill would require the Secretary of State to report information tracked by the classification system to the presiding officer of each house of the legislature in even-numbered years.

The bill would allow the Secretary of State to contract with a third-party to develop the classification system or compile the required information, which the agency estimates to cost \$3,000 per fiscal year out of General Revenue funds.

It is anticipated that any costs related to implementing the provisions of the bill could be absorbed by existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State, 357 Office of Rural Community Affairs, 580 Water Development Board, 601 Department of Transportation

LBB Staff: JOB, CL, TL, NR

**HOUSE
COMMITTEE REPORT**
1st Printing

05 MAY 20 AM 3:15
HOUSE OF REPRESENTATIVES

By: Zaffirini, et al.
 (Guillen)
Substitute the following for S.B. No. 827:

By: Chavez

S.B. No. 827

C.S.S.B. No. 827

A BILL TO BE ENTITLED

AN ACT

relating to systems for identifying colonias and for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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(1) is an economically distressed area as defined by Section 17.921, Water Code; and

(2) is located in a county any part of which is within 62 miles of an international border.

(b) Based on information provided under Subsections (c) and (d), the secretary of state shall establish and maintain a classification system that allows the secretary of state to track the progress of state-funded projects in providing water or wastewater services, paved roads, and other assistance to colonias.

(c) The secretary of state shall compile information received from the Office of Rural Community Affairs, the Texas Water Development Board, the Texas Transportation Commission, the Texas Department of Housing and Community Affairs, the Department of State Health Services, and any other agency considered

1 appropriate by the secretary of state for purposes of the
2 classification system.

3 (d) The secretary of state shall compile information on
4 colonias that is received from the colonia ombudsmen under Section
5 775.004.

6 (e) The secretary of state shall:

7 (1) prepare a report on the progress of state-funded
8 projects in providing water or wastewater services, paved roads,
9 and other assistance to colonias; and

10 (2) submit the report to the presiding officer of each
11 house of the legislature not later than December 1 of each
12 even-numbered year.

13 (f) The report to the legislature must include a list of
14 colonias with the highest health risk to colonia residents, based
15 on factors identified by the secretary of state.

16 (g) In conjunction with the establishment of the
17 classification system required by this section, the secretary of
18 state shall establish and maintain a statewide system for
19 identifying colonias.

20 (h) The secretary of state may contract with a third party
21 to develop the classification system or the identification system
22 or to compile or maintain the relevant information required by this
23 section.

24 SECTION 2. Subchapter C, Chapter 487, Government Code, is
25 amended by adding Section 487.060 to read as follows:

26 Sec. 487.060. REPORT TO SECRETARY OF STATE. (a) In this
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4 62 miles of an international border.

5 (b) To assist the secretary of state in preparing the report
6 required under Section 405.021, the office on a quarterly basis
7 shall provide a report to the secretary of state detailing any
8 projects funded by the office that serve colonias by providing
9 water or wastewater services, paved roads, or other assistance.

10 (c) The report must include:

11 (1) a description of any relevant projects;
12 (2) the location of each project;
13 (3) the number of colonia residents served by each
14 project;

15 (4) the cost or anticipated cost of each project;
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17 and, if not, the expected completion date of the project; and

18 (6) any other information, as determined appropriate
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23 Sec. 775.003. COLONIA OMBUDSMAN PROGRAM. The colonia
24 initiatives coordinator shall ~~may~~ appoint a colonia ombudsman in
25 each of the six border counties that the coordinator determines
26 have the largest colonia populations.

27 Sec. 775.004. INFORMATION ON COLONIAS. (a) The colonia

1 ombudsmen shall gather information about the colonias in the
2 counties for which the ombudsmen were appointed and provide the
3 information to the secretary of state, to assist the secretary of
4 state in preparing the report required under Section 405.021.

5 (b) To the extent possible, the ombudsmen shall gather
6 information regarding:

- 7 (1) the platting of each colonia;
8 (2) the infrastructure of each colonia;
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23 62 miles of an international border.

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25 required under Section 405.021, the board on a quarterly basis
26 shall provide a report to the secretary of state detailing any
27 projects funded by the department that provide assistance to

1 colonias.

2 (c) The report must include:

3 (1) a description of any relevant projects;

4 (2) the location of each project;

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6 project;

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9 and, if not, the expected completion date of the project; and

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19 62 miles of an international border.

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21 required under Section 405.021, Government Code, the commissioner
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17 required under Section 405.021, Government Code, the commission on
18 a quarterly basis shall provide a report to the secretary of state
19 detailing any projects funded by the department that serve colonias
20 by providing paved roads or other assistance.

21 (c) The report must include:

22 (1) a description of any relevant projects;
23 (2) the location of each project;
24 (3) the number of colonia residents served by each
25 project;

26 (4) the cost or anticipated cost of each project;
27 (5) a statement of whether each project is completed

1 and, if not, the expected completion date of the project; and

2 (6) any other information, as determined appropriate
3 by the secretary of state.

4 SECTION 7. Subchapter E, Chapter 6, Water Code, is amended
5 by adding Section 6.1565 to read as follows:

6 Sec. 6.1565. REPORT TO SECRETARY OF STATE. (a) In this
7 section, "colonia" means a geographic area that:

8 (1) is an economically distressed area as defined by
9 Section 17.921; and

10 (2) is located in a county any part of which is within
11 62 miles of an international border.

12 (b) To assist the secretary of state in preparing the report
13 required under Section 405.021, Government Code, the board on a
14 quarterly basis shall provide a report to the secretary of state
15 detailing any projects funded by the board that serve colonias by
16 providing water or wastewater services or other assistance.

17 (c) The report must include:

18 (1) a description of any relevant projects;
19 (2) the location of each project;
20 (3) the number of colonia residents served by each
21 project;

22 (4) the cost or anticipated cost of each project;
23 (5) a statement of whether each project is completed
24 and, if not, the expected completion date of the project; and

25 (6) any other information, as determined appropriate
26 by the secretary of state.

27 SECTION 8. This Act takes effect September 1, 2005.

The Honorable Tom Craddick
Speaker of the House of Representatives

5/18/05
(date)

We, your COMMITTEE ON BORDER AND INTERNATIONAL AFFAIRS

() do pass, without amendment.

() do pass, with amendment(s).

(☒) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

(☒) yes () no A fiscal note was requested.

() yes (☒) no A criminal justice policy impact statement was requested.

() yes (☒) no An equalized educational funding impact statement was requested.

() yes (☒) no An actuarial analysis was requested.

() yes (☒) no A water development policy impact statement was requested.

() yes (☒) no A tax equity note was requested.

(✓) The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor Gillen

Joint Sponsors: _____ / _____ / _____

Co-Sponsors: _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Chavez, Chair	✓			
Griggs, Vice-chair	✓			
Alonzo	✓			
Castro	✓			
Merritt	✓			
Mereno, J.				
Vo	✓			
Total				

Total

6	aye
0	nay
0	present, not voting
0	absent

CHAIR

AIR
 Nona Chang

BILL ANALYSIS

C.S.S.B. 827
By: Zaffirini
Border and International Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, state agencies collect pertinent information concerning colonias. However, a complete state-wide classification system with the progress of state-funded projects in colonia areas does not exist. State government would be better able to address colonia issues if such a system were in existence.

The committee substitute to Senate Bill 827 requires the Secretary of State to establish and maintain a classification system to track the progress of state-funded projects in colonia areas and submit a report to the legislature on the progress of the projects.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1 Adds Section 405.021, Government Code, requiring the Secretary of State to prepare a report on state-funded projects serving colonias.

Defines colonia as a geographic area that is an economically distressed area as defined by Section 17.921, Water Code, and is located in a county any part of which is within 62 miles of the Texas-Mexico border.

Requires the secretary of state, based on information provided by the Office of Rural Community Affairs, the Water Development Board, the Transportation Commission, the Department of Housing and Community Affairs, the Department of State Health Services, and any other appropriate agency as determined by the Secretary of State, to establish and maintain a classification system that allows the secretary of state to track the progress of state-funded projects that provide water or wastewater services, paved roads, and other assistance to colonias. The Secretary of State shall also compile information on colonias that is received from the various colonia ombudsmen under Section 775.004, Government Code

The Secretary of State (Secretary) shall prepare a report on the progress of state-funded projects in providing water and wastewater services, paved roads, and other assistance to colonias and to submit the report to the presiding officer of each house of the legislature not later than December 1 of each even-numbered year. The report must include a list of colonias with the highest health risk to colonia residents.

In conjunction with the establishment of the classification system, the Secretary is also required to establish and maintain a statewide system for identifying colonias. The Secretary is authorized to contract with a third party to develop the classification system or compile or maintain the relevant information required by Section 405.021, Government Code.

SECTION 2 Adds Section 487.060, Government Code, requiring the Office of Rural and Community Affairs to assist the Secretary in preparing the report required under Section 405.021, Government Code, and to provide on a quarterly basis a report

to the Secretary detailing any projects funded by the Office of Rural and Community Affairs that serve colonias by providing water or wastewater services, paved roads, or other assistance. Requires the report to include certain information.

Defines colonia as a geographic area that is an economically distressed area as defined by Section 17.921, Water Code, and is located in a county any part of which is within 62 miles of the Texas-Mexico border.

SECTION 3 Amends Section 775.003, Government Code, requiring the colonia initiatives coordinator to appoint a colonia ombudsman in each of the six border counties that the coordinator determines have the largest colonia populations.

Adds Section 775.004, Government Code, requiring the colonia ombudsmen to gather information about the colonias in the counties for which the ombudsmen were appointed and provide the information to the Secretary and to assist the Secretary in preparing the report required under Section 405.021, Government Code. Sets forth specific information which the ombudsmen are required, to the extent possible, to gather and requires the ombudsmen to provide the information to the Secretary not later than September 1 of each even-numbered year.

SECTION 4 Adds Section 2306.083, Government Code, requiring the governing board of the Department of Housing and Community Affairs to assist the Secretary in preparing the report required under Section 405.021, Government Code, and to provide on a quarterly basis a report to the Secretary detailing any projects funded by the Department that provide assistance to colonias. Requires the report to include certain information.

Defines colonia as a geographic area that is an economically distressed area as defined by Section 17.921, Water Code, and is located in a county any part of which is within 62 miles of the Texas-Mexico border.

SECTION 5 Adds 1001.033, Health and Safety Code, requiring the commissioner of state health services, to assist the Secretary in preparing the report required under Section 405.021, Government Code, and to provide on a quarterly basis a report to the Secretary detailing any projects funded by the Department of State Health Services that provide assistance to colonias. Requires the report to include certain information.

Defines colonia as a geographic area that is an economically distressed area as defined by Section 17.921, Water Code, and is located in a county any part of which is within 62 miles of the Texas-Mexico border.

SECTION 6 Adds Section 201.116, Transportation Code, requiring the Transportation Commission to assist the Secretary in preparing the report required under Section 405.021, Government Code, and to provide on a quarterly a report to the Secretary detailing any projects funded by the Commission that serve colonias by providing paved roads or other assistance. Requires the report to include certain information.

Defines colonia as a geographic area that is an economically distressed area as defined by Section 17.921, Water Code, and is located in a county any part of which is within 62 miles of the Texas-Mexico border.

SECTION 7 Adds Section 6.1565, Water Code, requiring the Water Development Board, to assist the Secretary in preparing the report required under Section 405.021, Government Code, and to provide on a quarterly basis a report to the Secretary detailing any projects funded by the board that serve colonias by providing water or wastewater services or other assistance. Requires the report to include certain information.

Defines colonia as a geographic area that is an economically distressed area as defined by Section 17.921, Water Code, and is located in a county any part of which is within 62 miles of the Texas-Mexico border.

SECTION 8 This Act takes effect September 1, 2005.

EFFECTIVE DATE

September 1, 2005

COMPARISON OF ORIGINAL TO SUBSTITUTE

The committee substitute changed all definitions of colonia in the bill to mean a geographic area that is an economically distressed area as defined by Section 17.921, Water Code, and is located in a county any part of which is within 62 miles of an international border. In the original version, some of the definitions were for within 50 miles of an international border.

SUMMARY OF COMMITTEE ACTION

SB 827

May 18, 2005 upon final adjourn./recess

Considered in formal meeting

Committee substitute considered in committee

Recommended to be sent to Local & Consent

Reported favorably as substituted

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 19, 2005

TO: Honorable Norma Chavez, Chair, House Committee on Border and International Affairs

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: **SB827** by Zaffirini (Relating to systems for identifying colonias and for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.), **Committee Report 2nd House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
--

The bill would amend Government Code, Water Code, Health and Safety Code, and Transportation Code to require the Secretary of State to establish and maintain a classification system to track state-funded projects related to water/wastewater services, paved roads to colonias, and other assistance to colonias in conjunction with a statewide system for identifying colonias. It would require the colonias ombudsman, Office of Rural Community Affairs, the Texas Water Development Board, the Texas Department of Housing and Community Affairs, the Texas Department of State Health Services, and the Texas Transportation Commission to report information to the Secretary of State for the classification system and the Secretary of State to compile the reported information.

The bill would require the Secretary of State to report information tracked by the classification system to the presiding officer of each house of the legislature in even-numbered years. It would require the colonias ombudsmen to assist the Secretary of State in preparing the report.

The bill would allow the Secretary of State to contract with a third-party to develop the classification system or colonias identification system or to compile the required information, which the agency estimates to cost \$3,000 per fiscal year out of General Revenue funds.

It is anticipated that any costs related to implementing the provisions of the bill could be absorbed by existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State, 332 Department of Housing and Community Affairs, 537 Department of State Health Services, 357 Office of Rural Community Affairs, 580 Water Development Board, 601 Department of Transportation

LBB Staff: JOB, CL, TL, NR

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 9, 2005

TO: Honorable Norma Chavez, Chair, House Committee on Border and International Affairs

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: SB827 by Zaffirini (Relating to systems for identifying colonias and for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend Government Code, Water Code, Health and Safety Code, and Transportation Code to require the Secretary of State to establish and maintain a classification system to track state-funded projects related to water/wastewater services, paved roads to colonias, and other assistance to colonias in conjunction with a statewide system for identifying colonias. It would require the colonias ombudsman, Office of Rural Community Affairs, the Texas Water Development Board, the Texas Department of Housing and Community Affairs, the Texas Department of State Health Services, and the Texas Transportation Commission to report information to the Secretary of State for the classification system and the Secretary of State to compile the reported information.

The bill would require the Secretary of State to report information tracked by the classification system to the presiding officer of each house of the legislature in even-numbered years. It would require the colonias ombudsmen to assist the Secretary of State in preparing the report.

The bill would allow the Secretary of State to contract with a third-party to develop the classification system or colonias identification system or to compile the required information, which the agency estimates to cost \$3,000 per fiscal year out of General Revenue funds.

It is anticipated that any costs related to implementing the provisions of the bill could be absorbed by existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State, 332 Department of Housing and Community Affairs, 537 Department of State Health Services, 357 Office of Rural Community Affairs, 580 Water Development Board, 601 Department of Transportation

LBB Staff: JOB, CL, TL, NR

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 8, 2005

TO: Honorable Eddie Lucio, Jr., Chair, Senate Committee on International Relations & Trade

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: SB827 by Zaffirini (Relating to systems for identifying colonias and for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
--

The bill would amend Government Code, Water Code, Health and Safety Code, and Transportation Code to require the Secretary of State to establish and maintain a classification system to track state-funded projects related to water/wastewater services, paved roads to colonias, and other assistance to colonias in conjunction with a statewide system for identifying colonias. It would require the colonias ombudsman, Office of Rural Community Affairs, the Texas Water Development Board, the Texas Department of Housing and Community Affairs, the Texas Department of State Health Services, and the Texas Transportation Commission to report information to the Secretary of State for the classification system and the Secretary of State to compile the reported information.

The bill would require the Secretary of State to report information tracked by the classification system to the presiding officer of each house of the legislature in even-numbered years. It would require the colonias ombudsmen to assist the Secretary of State in preparing the report.

The bill would allow the Secretary of State to contract with a third-party to develop the classification system or colonias identification system or to compile the required information, which the agency estimates to cost \$3,000 per fiscal year out of General Revenue funds.

It is anticipated that any costs related to implementing the provisions of the bill could be absorbed by existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State, 332 Department of Housing and Community Affairs, 537 Department of State Health Services, 357 Office of Rural Community Affairs, 580 Water Development Board, 601 Department of Transportation

LBB Staff: JOB, CL, TL, NR

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 5, 2005

TO: Honorable Eddie Lucio, Jr., Chair, Senate Committee on International Relations & Trade

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: **SB827** by Zaffirini (Relating to a system for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.); **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Government Code, Water Code, and Transportation Code to require the Secretary of State to establish and maintain a classification system to track state-funded projects related to water/wastewater services or paved roads to colonias and to compile information reported to the Secretary of State by the Office of Rural Community Affairs, the Texas Water Development Board, and the Texas Transportation Commission for the classification system.

The bill would require the Secretary of State to report information tracked by the classification system to the presiding officer of each house of the legislature in even-numbered years.

The bill would allow the Secretary of State to contract with a third-party to develop the classification system or compile the required information, which the agency estimates to cost \$3,000 per fiscal year out of General Revenue funds.

It is anticipated that any costs related to implementing the provisions of the bill could be absorbed by existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State, 357 Office of Rural Community Affairs, 580 Water Development Board, 601 Department of Transportation

LBB Staff: JOB, CL, TL, NR

original

ADOPTED

MAY 1995

Ken ...
Chief Clerk
House of Representatives

By: Zaffrini

S.B. No. 821

Substitute the following for S.B. No. 827:

By: Chavez

C.S. S.B. No. 821

A BILL TO BE ENTITLED

AN ACT

relating to systems for identifying colonias and for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 405, Government Code, is amended by adding Section 405.021 to read as follows:

Sec. 405.021. REPORT ON STATE-FUNDED PROJECTS SERVING COLONIAS. (a) In this section, "colonia" means a geographic area that:

(1) is an economically distressed area as defined by Section 17.921, Water Code; and

(2) is located in a county any part of which is within 62 miles of an international border.

(b) Based on information provided under Subsections (c) and (d), the secretary of state shall establish and maintain a classification system that allows the secretary of state to track the progress of state-funded projects in providing water or wastewater services, paved roads, and other assistance to colonias.

(c) The secretary of state shall compile information received from the Office of Rural Community Affairs, the Texas Water Development Board, the Texas Transportation Commission, the Texas Department of Housing and Community Affairs, the Department of State Health Services, and any other agency considered

1 appropriate by the secretary of state for purposes of the
2 classification system.

3 (d) The secretary of state shall compile information on
4 colonias that is received from the colonia ombudsmen under Section
5 775.004.

6 (e) The secretary of state shall:

7 (1) prepare a report on the progress of state-funded
8 projects in providing water or wastewater services, paved roads,
9 and other assistance to colonias; and

10 (2) submit the report to the presiding officer of each
11 house of the legislature not later than December 1 of each
12 even-numbered year.

13 (f) The report to the legislature must include a list of
14 colonias with the highest health risk to colonia residents, based
15 on factors identified by the secretary of state.

16 (g) In conjunction with the establishment of the
17 classification system required by this section, the secretary of
18 state shall establish and maintain a statewide system for
19 identifying colonias.

20 (h) The secretary of state may contract with a third party
21 to develop the classification system or the identification system
22 or to compile or maintain the relevant information required by this
23 section.

24 SECTION 2. Subchapter C, Chapter 487, Government Code, is
25 amended by adding Section 487.060 to read as follows:

26 Sec. 487.060. REPORT TO SECRETARY OF STATE. (a) In this
27 section, "colonia" means a geographic area that:

21
3

1 (1) is an economically distressed area as defined by
2 Section 17.921, Water Code; and

3 (2) is located in a county any part of which is within
4 62 miles of an international border.

5 (b) To assist the secretary of state in preparing the report
6 required under Section 405.021, the office on a quarterly basis
7 shall provide a report to the secretary of state detailing any
8 projects funded by the office that serve colonias by providing
9 water or wastewater services, paved roads, or other assistance.

10 (c) The report must include:

- 11 (1) a description of any relevant projects;
12 (2) the location of each project;
13 (3) the number of colonia residents served by each
14 project;
15 (4) the cost or anticipated cost of each project;
16 (5) a statement of whether each project is completed
17 and, if not, the expected completion date of the project; and
18 (6) any other information, as determined appropriate
19 by the secretary of state.

20 SECTION 3. Chapter 775, Government Code, is amended by
21 amending Section 775.003 and adding Section 775.004 to read as
22 follows:

23 Sec. 775.003. COLONIA OMBUDSMAN PROGRAM. The colonia
24 initiatives coordinator shall ~~may~~ appoint a colonia ombudsman in
25 each of the six border counties that the coordinator determines
26 have the largest colonia populations.

27 Sec. 775.004. INFORMATION ON COLONIAS. (a) The colonia

1 ombudsmen shall gather information about the colonias in the
2 counties for which the ombudsmen were appointed and provide the
3 information to the secretary of state, to assist the secretary of
4 state in preparing the report required under Section 405.021.

5 (b) To the extent possible, the ombudsmen shall gather
6 information regarding:

7 (1) the platting of each colonia;
8 (2) the infrastructure of each colonia;
9 (3) the availability of health care services;
10 (4) the availability of financial assistance; and
11 (5) any other appropriate topic as requested by the
12 secretary of state.

13 (c) The ombudsmen shall provide the information to the
14 secretary of state not later than September 1 of each even-numbered
15 year.

16 SECTION 4. Subchapter D, Chapter 2306, Government Code, is
17 amended by adding Section 2306.083 to read as follows:

18 Sec. 2306.083. REPORT TO SECRETARY OF STATE. (a) In this
19 section, "colonia" means a geographic area that:

20 (1) is an economically distressed area as defined by
21 Section 17.921, Water Code; and

22 (2) is located in a county any part of which is within
23 62 miles of an international border.

24 (b) To assist the secretary of state in preparing the report
25 required under Section 405.021, the board on a quarterly basis
26 shall provide a report to the secretary of state detailing any
27 projects funded by the department that provide assistance to

1 colonias.

2 (c) The report must include:

3 (1) a description of any relevant projects;

4 (2) the location of each project;

5 (3) the number of colonia residents served by each
6 project;

7 (4) the cost or anticipated cost of each project;

8 (5) a statement of whether each project is completed
9 and, if not, the expected completion date of the project; and

10 (6) any other information, as determined appropriate
11 by the secretary of state.

12 SECTION 5. Subchapter B, Chapter 1001, Health and Safety
13 Code, is amended by adding Section 1001.033 to read as follows:

14 Sec. 1001.033. REPORT TO SECRETARY OF STATE. (a) In this
15 section, "colonia" means a geographic area that:

16 (1) is an economically distressed area as defined by
17 Section 17.921, Water Code; and

18 (2) is located in a county any part of which is within
19 62 miles of an international border.

20 (b) To assist the secretary of state in preparing the report
21 required under Section 405.021, Government Code, the commissioner
22 on a quarterly basis shall provide a report to the secretary of
23 state detailing any projects funded by the department that provide
24 assistance to colonias.

25 (c) The report must include:

26 (1) a description of any relevant projects;

27 (2) the location of each project;

/φ

1 (3) the number of colonia residents served by each
2 project;
3 (4) the cost or anticipated cost of each project;
4 (5) a statement of whether each project is completed
5 and, if not, the expected completion date of the project; and
6 (6) any other information, as determined appropriate
7 by the secretary of state.

8 SECTION 6. Subchapter C, Chapter 201, Transportation Code,
9 is amended by adding Section 201.116 to read as follows:

10 Sec. 201.116. REPORT TO SECRETARY OF STATE. (a) In this
11 section, "colonia" means a geographic area that:

12 (1) is an economically distressed area as defined by
13 Section 17.921, Water Code; and

14 (2) is located in a county any part of which is within
15 62 miles of an international border.

16 (b) To assist the secretary of state in preparing the report
17 required under Section 405.021, Government Code, the commission on
18 a quarterly basis shall provide a report to the secretary of state
19 detailing any projects funded by the department that serve colonias
20 by providing paved roads or other assistance.

21 (c) The report must include:

22 (1) a description of any relevant projects;
23 (2) the location of each project;
24 (3) the number of colonia residents served by each
25 project;

26 (4) the cost or anticipated cost of each project;
27 (5) a statement of whether each project is completed

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1

1 and, if not, the expected completion date of the project; and

2 (6) any other information, as determined appropriate
3 by the secretary of state.

4 SECTION 7. Subchapter E, Chapter 6, Water Code, is amended
5 by adding Section 6.1565 to read as follows:

6 Sec. 6.1565. REPORT TO SECRETARY OF STATE. (a) In this
7 section, "colonia" means a geographic area that:

8 (1) is an economically distressed area as defined by
9 Section 17.921; and

10 (2) is located in a county any part of which is within
11 62 miles of an international border.

12 (b) To assist the secretary of state in preparing the report
13 required under Section 405.021, Government Code, the board on a
14 quarterly basis shall provide a report to the secretary of state
15 detailing any projects funded by the board that serve colonias by
16 providing water or wastewater services or other assistance.

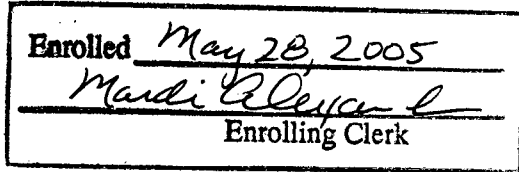
17 (c) The report must include:

18 (1) a description of any relevant projects;
19 (2) the location of each project;
20 (3) the number of colonia residents served by each
21 project;

22 (4) the cost or anticipated cost of each project;
23 (5) a statement of whether each project is completed
24 and, if not, the expected completion date of the project; and

25 (6) any other information, as determined appropriate
26 by the secretary of state.

27 SECTION 8. This Act takes effect September 1, 2005.



S.B. No. 827

AN ACT

relating to systems for identifying colonias and for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 405, Government Code, is amended by adding Section 405.021 to read as follows:

Sec. 405.021. REPORT ON STATE-FUNDED PROJECTS SERVING COLONIAS. (a) In this section, "colonia" means a geographic area that:

(1) is an economically distressed area as defined by Section 17.921, Water Code; and

(2) is located in a county any part of which is within 62 miles of an international border.

(b) Based on information provided under Subsections (c) and (d), the secretary of state shall establish and maintain a classification system that allows the secretary of state to track the progress of state-funded projects in providing water or wastewater services, paved roads, and other assistance to colonias.

(c) The secretary of state shall compile information received from the Office of Rural Community Affairs, the Texas Water Development Board, the Texas Transportation Commission, the Texas Department of Housing and Community Affairs, the Department of State Health Services, and any other agency considered

1 appropriate by the secretary of state for purposes of the
2 classification system.

3 (d) The secretary of state shall compile information on
4 colonias that is received from the colonia ombudsmen under Section
5 775.004.

6 (e) The secretary of state shall:

7 (1) prepare a report on the progress of state-funded
8 projects in providing water or wastewater services, paved roads,
9 and other assistance to colonias; and

10 (2) submit the report to the presiding officer of each
11 house of the legislature not later than December 1 of each
12 even-numbered year.

13 (f) The report to the legislature must include a list of
14 colonias with the highest health risk to colonia residents, based
15 on factors identified by the secretary of state.

16 (g) In conjunction with the establishment of the
17 classification system required by this section, the secretary of
18 state shall establish and maintain a statewide system for
19 identifying colonias.

20 (h) The secretary of state may contract with a third party
21 to develop the classification system or the identification system
22 or to compile or maintain the relevant information required by this
23 section.

24 SECTION 2. Subchapter C, Chapter 487, Government Code, is
25 amended by adding Section 487.060 to read as follows:

26 Sec. 487.060. REPORT TO SECRETARY OF STATE. (a) In this
27 section, "colonia" means a geographic area that:

rk
21

S.B. No. 827

1 (1) is an economically distressed area as defined by
2 Section 17.921, Water Code; and

3 (2) is located in a county any part of which is within
4 62 miles of an international border.

5 (b) To assist the secretary of state in preparing the report
6 required under Section 405.021, the office on a quarterly basis
7 shall provide a report to the secretary of state detailing any
8 projects funded by the office that serve colonias by providing
9 water or wastewater services, paved roads, or other assistance.

10 (c) The report must include:

11 (1) a description of any relevant projects;
12 (2) the location of each project;
13 (3) the number of colonia residents served by each
14 project;

15 (4) the cost or anticipated cost of each project;
16 (5) a statement of whether each project is completed
17 and, if not, the expected completion date of the project; and

18 (6) any other information, as determined appropriate
19 by the secretary of state.

20 SECTION 3. Chapter 775, Government Code, is amended by
21 amending Section 775.003 and adding Section 775.004 to read as
22 follows:

23 Sec. 775.003. COLONIA OMBUDSMAN PROGRAM. The colonia
24 initiatives coordinator shall ~~may~~ appoint a colonia ombudsman in
25 each of the six border counties that the coordinator determines
26 have the largest colonia populations.

27 Sec. 775.004. INFORMATION ON COLONIAS. (a) The colonia

1 ombudsmen shall gather information about the colonias in the
2 counties for which the ombudsmen were appointed and provide the
3 information to the secretary of state, to assist the secretary of
4 state in preparing the report required under Section 405.021.

5 (b) To the extent possible, the ombudsmen shall gather
6 information regarding:

- 7 (1) the platting of each colonia;
8 (2) the infrastructure of each colonia;
9 (3) the availability of health care services;
10 (4) the availability of financial assistance; and
11 (5) any other appropriate topic as requested by the
12 secretary of state.

13 (c) The ombudsmen shall provide the information to the
14 secretary of state not later than September 1 of each even-numbered
15 year.

16 SECTION 4. Subchapter D, Chapter 2306, Government Code, is
17 amended by adding Section 2306.083 to read as follows:

18 Sec. 2306.083. REPORT TO SECRETARY OF STATE. (a) In this
19 section, "colonia" means a geographic area that:

20 (1) is an economically distressed area as defined by
21 Section 17.921, Water Code; and

22 (2) is located in a county any part of which is within
23 62 miles of an international border.

24 (b) To assist the secretary of state in preparing the report
25 required under Section 405.021, the board on a quarterly basis
26 shall provide a report to the secretary of state detailing any
27 projects funded by the department that provide assistance to

1 colonias.

2 (c) The report must include:

3 (1) a description of any relevant projects;

4 (2) the location of each project;

5 (3) the number of colonia residents served by each
6 project;

7 (4) the cost or anticipated cost of each project;

8 (5) a statement of whether each project is completed
9 and, if not, the expected completion date of the project; and

10 (6) any other information, as determined appropriate
11 by the secretary of state.

12 SECTION 5. Subchapter B, Chapter 1001, Health and Safety
13 Code, is amended by adding Section 1001.033 to read as follows:

14 Sec. 1001.033. REPORT TO SECRETARY OF STATE. (a) In this
15 section, "colonia" means a geographic area that:

16 (1) is an economically distressed area as defined by
17 Section 17.921, Water Code; and

18 (2) is located in a county any part of which is within
19 62 miles of an international border.

20 (b) To assist the secretary of state in preparing the report
21 required under Section 405.021, Government Code, the commissioner
22 on a quarterly basis shall provide a report to the secretary of
23 state detailing any projects funded by the department that provide
24 assistance to colonias.

25 (c) The report must include:

26 (1) a description of any relevant projects;

27 (2) the location of each project;

1 (3) the number of colonia residents served by each
2 project;

3 (4) the cost or anticipated cost of each project;

4 (5) a statement of whether each project is completed
5 and, if not, the expected completion date of the project; and

6 (6) any other information, as determined appropriate
7 by the secretary of state.

8 SECTION 6. Subchapter C, Chapter 201, Transportation Code,
9 is amended by adding Section 201.116 to read as follows:

10 Sec. 201.116. REPORT TO SECRETARY OF STATE. (a) In this
11 section, "colonia" means a geographic area that:

12 (1) is an economically distressed area as defined by
13 Section 17.921, Water Code; and

14 (2) is located in a county any part of which is within
15 62 miles of an international border.

16 (b) To assist the secretary of state in preparing the report
17 required under Section 405.021, Government Code, the commission on
18 a quarterly basis shall provide a report to the secretary of state
19 detailing any projects funded by the department that serve colonias
20 by providing paved roads or other assistance.

21 (c) The report must include:

22 (1) a description of any relevant projects;

23 (2) the location of each project;

24 (3) the number of colonia residents served by each
25 project;

26 (4) the cost or anticipated cost of each project;

27 (5) a statement of whether each project is completed

1 and, if not, the expected completion date of the project; and
2 (6) any other information, as determined appropriate
3 by the secretary of state.

4 SECTION 7. Subchapter E, Chapter 6, Water Code, is amended
5 by adding Section 6.1565 to read as follows:

6 Sec. 6.1565. REPORT TO SECRETARY OF STATE. (a) In this
7 section, "colonia" means a geographic area that:

8 (1) is an economically distressed area as defined by
9 Section 17.921; and

10 (2) is located in a county any part of which is within
11 62 miles of an international border.

12 (b) To assist the secretary of state in preparing the report
13 required under Section 405.021, Government Code, the board on a
14 quarterly basis shall provide a report to the secretary of state
15 detailing any projects funded by the board that serve colonias by
16 providing water or wastewater services or other assistance.

17 (c) The report must include:

18 (1) a description of any relevant projects;
19 (2) the location of each project;
20 (3) the number of colonia residents served by each
21 project;

22 (4) the cost or anticipated cost of each project;
23 (5) a statement of whether each project is completed
24 and, if not, the expected completion date of the project; and
25 (6) any other information, as determined appropriate
26 by the secretary of state.

27 SECTION 8. This Act takes effect September 1, 2005.

S.B. No. 827

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 827 passed the Senate on April 14, 2005, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 27, 2005, by the following vote: Yeas 29, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 827 passed the House, with amendment, on May 25, 2005, by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 19, 2005

TO: Honorable Norma Chavez, Chair, House Committee on Border and International Affairs

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: SB827 by Zaffirini (Relating to systems for identifying colonias and for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Government Code, Water Code, Health and Safety Code, and Transportation Code to require the Secretary of State to establish and maintain a classification system to track state-funded projects related to water/wastewater services, paved roads to colonias, and other assistance to colonias in conjunction with a statewide system for identifying colonias. It would require the colonias ombudsman, Office of Rural Community Affairs, the Texas Water Development Board, the Texas Department of Housing and Community Affairs, the Texas Department of State Health Services, and the Texas Transportation Commission to report information to the Secretary of State for the classification system and the Secretary of State to compile the reported information.

The bill would require the Secretary of State to report information tracked by the classification system to the presiding officer of each house of the legislature in even-numbered years. It would require the colonias ombudsmen to assist the Secretary of State in preparing the report.

The bill would allow the Secretary of State to contract with a third-party to develop the classification system or colonias identification system or to compile the required information, which the agency estimates to cost \$3,000 per fiscal year out of General Revenue funds.

It is anticipated that any costs related to implementing the provisions of the bill could be absorbed by existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State, 332 Department of Housing and Community Affairs, 537 Department of State Health Services, 357 Office of Rural Community Affairs, 580 Water Development Board, 601 Department of Transportation

LBB Staff: JOB, CL, TL, NR

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 9, 2005

TO: Honorable Norma Chavez, Chair, House Committee on Border and International Affairs

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: SB827 by Zaffirini (Relating to systems for identifying colonias and for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.), **As Engrossed**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend Government Code, Water Code, Health and Safety Code, and Transportation Code to require the Secretary of State to establish and maintain a classification system to track state-funded projects related to water/wastewater services, paved roads to colonias, and other assistance to colonias in conjunction with a statewide system for identifying colonias. It would require the colonias ombudsman, Office of Rural Community Affairs, the Texas Water Development Board, the Texas Department of Housing and Community Affairs, the Texas Department of State Health Services, and the Texas Transportation Commission to report information to the Secretary of State for the classification system and the Secretary of State to compile the reported information.

The bill would require the Secretary of State to report information tracked by the classification system to the presiding officer of each house of the legislature in even-numbered years. It would require the colonias ombudsmen to assist the Secretary of State in preparing the report.

The bill would allow the Secretary of State to contract with a third-party to develop the classification system or colonias identification system or to compile the required information, which the agency estimates to cost \$3,000 per fiscal year out of General Revenue funds.

It is anticipated that any costs related to implementing the provisions of the bill could be absorbed by existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State, 332 Department of Housing and Community Affairs, 537 Department of State Health Services, 357 Office of Rural Community Affairs, 580 Water Development Board, 601 Department of Transportation

LBB Staff: JOB, CL, TL, NR

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 8, 2005

TO: Honorable Eddie Lucio, Jr., Chair, Senate Committee on International Relations & Trade

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: **SB827** by Zaffirini (Relating to systems for identifying colonias and for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
--

The bill would amend Government Code, Water Code, Health and Safety Code, and Transportation Code to require the Secretary of State to establish and maintain a classification system to track state-funded projects related to water/wastewater services, paved roads to colonias, and other assistance to colonias in conjunction with a statewide system for identifying colonias. It would require the colonias ombudsman, Office of Rural Community Affairs, the Texas Water Development Board, the Texas Department of Housing and Community Affairs, the Texas Department of State Health Services, and the Texas Transportation Commission to report information to the Secretary of State for the classification system and the Secretary of State to compile the reported information.

The bill would require the Secretary of State to report information tracked by the classification system to the presiding officer of each house of the legislature in even-numbered years. It would require the colonias ombudsmen to assist the Secretary of State in preparing the report.

The bill would allow the Secretary of State to contract with a third-party to develop the classification system or colonias identification system or to compile the required information, which the agency estimates to cost \$3,000 per fiscal year out of General Revenue funds.

It is anticipated that any costs related to implementing the provisions of the bill could be absorbed by existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State, 332 Department of Housing and Community Affairs, 537 Department of State Health Services, 357 Office of Rural Community Affairs, 580 Water Development Board, 601 Department of Transportation

LBB Staff: JOB, CL, TL, NR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 5, 2005

TO: Honorable Eddie Lucio, Jr., Chair, Senate Committee on International Relations & Trade

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: **SB827** by Zaffirini (Relating to a system for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Government Code, Water Code, and Transportation Code to require the Secretary of State to establish and maintain a classification system to track state-funded projects related to water/wastewater services or paved roads to colonias and to compile information reported to the Secretary of State by the Office of Rural Community Affairs, the Texas Water Development Board, and the Texas Transportation Commission for the classification system.

The bill would require the Secretary of State to report information tracked by the classification system to the presiding officer of each house of the legislature in even-numbered years.

The bill would allow the Secretary of State to contract with a third-party to develop the classification system or compile the required information, which the agency estimates to cost \$3,000 per fiscal year out of General Revenue funds.

It is anticipated that any costs related to implementing the provisions of the bill could be absorbed by existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State, 357 Office of Rural Community Affairs, 580 Water Development Board, 601 Department of Transportation

LBB Staff: JOB, CL, TL, NR

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 827 passed the Senate on April 14, 2005, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 27, 2005, by the following vote: Yeas 29, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 827 passed the House, with ^{a non-record vote.} amendment, on May 25, 2005, by ~~the following vote:~~ Yeas _____, Nays J.

Chief Clerk of the House

Approved:

Date

Governor

S.B. No. 827

By ZAFFIRINI

A BILL TO BE ENTITLED

AN ACT:

relating to a system for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.

MAR 01 2005 Filed with the Secretary of the Senate
MAR 10 2005 Read and referred to Committee on INTERNATIONAL RELATIONS & TRADE
Reported favorably _____
APR 12 2005 Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.
Ordered not printed
Laid before the Senate
APR 14 2005 Senate and Constitutional Rules to permit consideration suspended by: { unanimous consent
_____ yeas, _____ nays
APR 14 2005 Read second time, _____, and ordered engrossed by: { unanimous consent
a viva voce vote
_____ yeas, _____ nays
APR 14 2005 Senate and Constitutional 3 Day Rule suspended by a vote of 30 yeas, 0 nays.
APR 14 2005 Read third time, _____, and passed by: { A viva voce vote
31 yeas, 0 nays

Lately Spaw
SECRETARY OF THE SENATE

OTHER ACTION:

April 14, 2005 Engrossed
Sent to House

Engrossing Clerk Mardi Allmand

APR 18 2005 Received from the Senate
APR 19 2005 Read first time and referred to Committee on Border and International Affairs
MAY 18 2005 Reported _____ favorably (_____) (as substituted)
MAY 20 2005 Sent to Committee on (_____) (Local & Consent Calendars)
MAY 25 2005 Read second time (comm. subst.) (amended), passed to third reading (failed) by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)
Constitutional rule requiring bills to be read on three several days suspended (failed to suspend) by a vote of _____ yeas, _____ nays, _____ present, not voting.
MAY 25 2005 Read third time (amended); finally passed (failed to pass) by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)
MAY 25 2005 Returned to Senate.
Returned from House without amendment.
MAY 25 2005 Returned from House with 1 amendments.
MAY 27 2005 Concurred in House amendments by a viva voce vote 29 yeas, 0 nays.

Robert Haney

CHIEF CLERK OF THE HOUSE

_____ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

_____ Senate conferees instructed.

_____ Senate conferees appointed: _____, Chairman; _____
_____, _____, and _____

_____ House granted Senate request. House conferees appointed: _____, Chairman;
_____, _____, _____

_____ Conference Committee Report read and filed with the Secretary of the Senate.

_____ Conference Committee Report adopted on the part of the House by: _____

{ a viva voce vote
_____ yeas, _____ nays

_____ Conference Committee Report adopted on the part of the Senate by:

{ a viva voce vote
_____ yeas, _____ nays

OTHER ACTION:

_____ Recommitted to Conference Committee

_____ Conferees discharged.

_____ Conference Committee Report failed of adoption by: _____

{ a viva voce vote
_____ yeas, _____ nays

05 MAY 20 AM 3: 15
HOUSE OF REPRESENTATIVES